



## VILLAGE REVIEW AREA OUTDOOR DISPLAYS P-2(B)

Development Services

Planning Division

1635 Faraday Avenue

760-602-4610

www.carlsbadca.gov

- ***Village Review Area Outdoor Displays Permit:*** This application is to be used for processing requests for outdoor displays to be placed on the public sidewalk adjacent to existing businesses in the Village Review Area only. Applicants should review the “Location and Development Criteria” to determine whether or not they are eligible for a permit for an outdoor display before completing and submitting this application form.

The following represents the procedures which have been set forth for processing this administrative permit application:

1. The applicant may meet with the Planning Division staff for conceptual review.
2. The applicant submits the permit application and appropriate exhibits to the Planning Division with a check made payable to the “City of Carlsbad” in the amount specified for the Village Review Area Outdoor Display Permit in the most recently adopted fee schedule.
3. The application is reviewed for completeness by the Planning Division.
4. If the application is deemed complete, processing continues for action by the City Planner. For an application to be deemed complete, the application must be completed in its entirety (no blanks), all requested signatures must be provided on the application and all attachments must be submitted with the application.
5. If the application is not complete, the applicant is notified of the information required to deem the application complete.
6. If the permit is approved, a letter will be forwarded to the applicant from the Planning Division. Upon receipt of the approval letter, the applicant may proceed with placement of the outdoor display on the public sidewalk.
7. If the permit is denied, the applicant may appeal the decision to the Planning Commission within ten (10) calendar days of the decision by the City Planner.

**A proposed project requiring multiple applications must be submitted prior to 3:30 p.m. A proposed project requiring only one application must be submitted prior to 4:00 p.m.**

**If you have any questions regarding application submittal requirements (i.e., clarification regarding a specific requirement or whether all requirements are necessary for your particular application) please call (760) 602-4610.**

**The following supplemental information must accompany the completed application:**

- I. **SITE PLAN** – Three (3) copies of a site plan. The site plan shall include the following information:
  - ☐ a. Name and address of Village Area business and display maker.
  - ☐ b. Location and dimension of proposed display.
  - ☐ c. Sidewalk dimensions in front of business.
  - ☐ d. Location and dimension of business building, including locations of, and dimensions of, entrances and exits to and from building.

- ☐ e. Location and dimensions of existing parking areas, points of vehicular access to the property/business, curb cuts providing handicap accessibility to sidewalk.
  - ☐ f. North arrow and scale for plans.
- II. ☐ Applicant/permittee must sign an Indemnification Statement holding the City of Carlsbad harmless from any legal action resulting from sidewalk outdoor display.
- III. ☐ The applicant/permittee must submit a Certificate of Insurance to the City of Carlsbad in the amount of \$1 million. The City of Carlsbad shall be listed as "additional insured" on the Certificate. The Certificate must remain in effect for as long as the outdoor display is placed within the public right-of-way.

### **Location and Development Criteria**

1. Each individual business within the Village Review Area shall be allowed a **single (1)** outdoor display to be located outside the walls of the subject business building and within the public right-of-way. This outdoor display may include, but is not limited to:
  - A single rack of clothing or accessory items, including shoes;
  - A rack of magazines, newspapers and/or books;
  - A flower or craft display cart; or
  - A table with various business-related items sold within the building, such as that used for a "sidewalk sale."

These outdoor displays shall not contain any information which would routinely be placed on a business sign located on the building such as the name or type of business, hours of business operation, business logo, brand name information, etc. The outdoor display may include a sign which indicates the price of the display item(s) or simply indicates a "sale" on the item(s).
2. An outdoor display shall be placed adjacent to and parallel to the subject business building. These displays shall not be placed adjacent to the street curb or perpendicular to the subject business building. A clear area of at least five feet (5') in width must be maintained for pedestrian use between the street curb and the outer edge of the outdoor display. A clear area of five feet (5') in width must also be maintained to building entries. An outdoor display shall not encroach upon the building frontage of an adjacent business.
3. An outdoor display shall not exceed five (5) feet in height, 6 feet in width, and 3 feet in depth.
4. A single outdoor display may consist of several individual business items, without a rack, cart, table or shelf of some type. However, the various display items must be placed together in a single location in front of, and adjacent to, the subject business building. The display items shall not be spread out along the entire front of the subject building. Any single business display shall fit into an "imaginary box" with the dimensions noted above (3' wide X 6' long). The height of any item within the display may not exceed five feet (5').
5. If a business has outdoor tables located within the public right-of-way, no additional outdoor display shall be permitted.
6. All outdoor displays shall be located in a manner which does not cause an obstruction for pedestrians and/or site distance problems for vehicles.
7. No outdoor display shall obscure or interfere with any official notice or public safety sign or device.
8. All outdoor displays within the public right-of-way shall be temporary. The displays shall be placed outside during business hours only. No permanent outdoor displays shall be permitted within the public right-of-way.

9. All outdoor displays shall be continuously maintained in a state of order, security, safety and repair. The display surface shall be kept clean, neatly painted, and free of rust, corrosion, protruding tacks, nails and/or wires. Any cracked, broken surfaces, or other unmaintained or damaged portion of a display shall be repaired or replaced or removed within thirty (30) days.
10. All outdoor displays shall be tasteful and assist in creating a top quality shopping environment. No display shall contain obscene, indecent or immoral matter.
11. The outdoor displays must be self-supporting, stable and weighted or constructed to withstand being overturned by wind or contact. The display shall not be permanently affixed to any object, structure or the ground including utility poles, light poles, trees or any merchandise or products displayed outside permanent buildings.
12. Applicants for an outdoor display permit must sign an Indemnification Statement holding the City of Carlsbad harmless from any legal action resulting from placement of the display on the public sidewalk. This statement has been included on the required application for a permit.
13. Insurance shall be required naming the City of Carlsbad as additionally insured. The amount of the insurance required shall be \$1 million, as established by the Risk Manager for the City. A Certificate of Insurance must be submitted to the City and remain in effect for as long as the Outdoor Display remains in the public right-of-way.